

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

STEPHAN RICHARDSON,)	
)	
Plaintiff,)	
)	
VS.)	No. 16-2887-JDT-cgc
)	
OFFICER MORRIS, ET AL.,)	
)	
Defendants.)	

ORDER GRANTING PLAINTIFF’S MOTION FOR VOLUNTARY DISMISSAL

The *pro se* prisoner Plaintiff, Stephan Richardson, filed this action pursuant to 42 U.S.C. § 1983 on November 8, 2016 (ECF No. 1), accompanied by a motion for leave to proceed *in forma pauperis* (ECF No. 2). The Court issued an order on November 10, 2016, granting leave to proceed *in forma pauperis* and assessing the civil filing fee pursuant to 28 U.S.C. §§ 1915(a)-(b). (ECF No. 5.) However, on January 11, 2017, the Clerk received a letter from Plaintiff in which he asks “to have this case dismissed as soon as possible.” (ECF No. 10.)

Federal Rule of Civil Procedure 41(a) provides that a plaintiff may voluntarily dismiss an action at any time before an opposing party files an answer or a motion for summary judgment. This case has not yet been screened pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b); therefore, no defendant has been served and no answers or motions for summary judgment have been filed. Accordingly, Plaintiff’s motion to voluntarily dismiss this case

is GRANTED, and this case is hereby DISMISSED without prejudice pursuant to Federal Rule of Civil Procedure 41(a).

The Clerk is directed to prepare a judgment.

IT IS SO ORDERED.

s/ **James D. Todd**
JAMES D. TODD
UNITED STATES DISTRICT JUDGE